

## Stream Buffer Variance Application Checklist

### Stream Buffer Variance Application Requirements:

- ☐ Completed Stream Buffer Variance Application (with all relevant information to your case).
- ☐ Survey Plat of the subject property in accordance with the attached site plan checklist (with all relevant information to your case).
- ☐ Signed and notarized affidavits of all property owners. Use attached sheet.
- ☐ Signed Campaign Disclosure Statement.
- ☐ Written legal description of the property.
- ☐ Relevant Site Photos.
- ☐ **Letter of Intent for Steam Buffer Variances (Chapter 16):** Please describe your situation and how your variance request is a result of **all** of the following conditions:
  - 1) By reason of exceptional narrowness, shallowness, or shape of a specific lot, or by reason of exceptional topographic conditions, which were not created by the owner or applicant, the strict application of the requirements of this Chapter would deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district;
  - 2) The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located;
  - 3) The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located;
  - 4) The literal interpretation and strict application of the applicable provisions or requirements of this Chapter would cause undue and unnecessary hardship;
  - 5) The requested variance would be consistent with the spirit and purpose of this Chapter and the City of Dunwoody Comprehensive Plan text; and
  - 6) How although economic considerations may be taken into *consideration* as a hardship, they are **not**, of themselves, be the *sole criteria* upon which the applicant seeks this variance.
- ☐ Address, in your letter of intent, **each** of the following **stream protection criteria** and your plans to implement best management practices:
  - 1) Stream bank or soil stabilization;
  - 2) Trapping of sediment in surface runoff;
  - 3) Removal of nutrients, heavy metals, pesticides and other pollutants from surface runoff;
  - 4) Terrestrial habitat, food chain, and migration corridor;
  - 5) Buffering of flood flows;
  - 6) Infiltration of surface runoff;
  - 7) Noise and visual buffers;
  - 8) Downstream water quality;
  - 9) Impact on threatened and endangered species, as those species are designated by law or federal or state regulation.

## **Site Plan Checklist**

**All items must be included on the Site Plan; separate sheets may be used**

1. Key and/or legend and site location map with North arrow.
2. Boundary survey of subject property which includes dimensions along property lines that match the metes and bounds of the property's written legal description and clearly indicates the point of beginning.
3. Acreage of subject property.
4. Location of land lot lines and identification of land lots.
5. Existing, proposed new dedicated and future reserved rights-of-way of all streets, roads, and railroads adjacent to and on the subject property.
6. Proposed streets on the subject site.
7. Current zoning of the subject site and adjoining properties.
8. Existing buildings with square footages and heights (stories), wells, driveways, fences, cell towers, and any other structures or improvements on the subject property.
9. Existing buildings' locations and heights (stories), wells, driveways, fences, cell towers, and any other structures or improvement on adjacent properties within 200 feet of the subject property.
10. Location of proposed buildings with total square footage.
11. Layout and minimum lot size of proposed single family residential lots.
12. Topography on the subject site and adjacent property up to 200 feet as required to assess runoff effects.
13. Location of overhead and underground electrical and pipeline transmission/conveyance lines.
14. Required and/or proposed setbacks.
15. 100-year flood plain horizontal limits and flood zone designations as shown on survey or FEMA FIRM maps.
16. Required landscape strips, undisturbed buffers, and any other natural areas as required or proposed.
17. Required and proposed parking spaces; Loading and unloading facilities.
18. Lakes, streams, wetlands, and Waters of the State and associated buffers.
19. Proposed stormwater management facilities.
20. Community wastewater facilities including preliminary areas reserved for septic drain fields and points of access.
21. Availability of water system and sanitary sewer system.
22. Tree lines, woodlands and open fields on subject site.

## Stream Buffer Variance Application

Type	Type of Request: <input type="checkbox"/> Stream Buffer Variance (Board)		
	Applicable Code Section:		
	Current Stream Buffer Distance:	Proposed Stream Buffer Distance:	
	<b>Required</b> Letter of Intent addressing Six (6) Stream Buffer Conditions– attached? (yes / no)		
	<b>Required</b> Letter of Intent Addressing Nine (9) Stream Protection Criteria– attached? (yes / no)		
Project	Name of Project/Subdivision:		Present Zoning:
	Property Address/Location:		
	District:	Land Lot:	Block: Property ID:
Owner Information	Name:		
	Address:		
	Phone:	Fax:	
	Cell:	Email:	
Applicant	Name:		
	Address:		
	Phone:	Fax:	
	Cell:	Email:	
Affidavit	To the best of my knowledge, this variance application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Dunwoody Zoning Ordinance. I understand that failure to supply all required information (per the relevant Applicant Checklists and Requirements of the Dunwoody Zoning Ordinance) will result in the rejection of this application. I have read the provisions of the Georgia Code Section 36-67A-3 as required regarding Campaign Disclosures. My Signed Campaign Disclosure Statement is included with the Application.		
	Applicant's Name:		
	Applicant's Signature:		Date:
	Sworn to and subscribed before me this                      Day of                      20		
Notary	Notary Public:		
	Signature:		
	Date:		
Office Use	Application Received By:		Project Title: Project Number:
	<input type="checkbox"/> Application Fee <input type="checkbox"/> Sign Fee (\$135 x number of signs required*)—not required for AV		
	Fee: \$	Payment: <input type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> CC	Date:
	<input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied		Date:

**\* one sign required per street frontage and/or every 500 feet of street frontage**

## Property Owner(s) Notarized Certification

The owner and petitioner acknowledge that this Special Exception application form is correct and complete. If additional materials are determined to be necessary, they understand that they are responsible for filing additional materials as specified by the City of Dunwoody Zoning Ordinances.

<b>Property Owner</b>	Signature:		Date:
	Address:	City, State:	Zip:
	Phone:		
	Sworn to and subscribed before me this _____ day of _____, 20_____		
	Notary Public:		
<b>Property Owner (If Applicable)</b>	Signature:		Date:
	Address:	City, State:	Zip:
	Phone:		
	Sworn to and subscribed before me this _____ day of _____, 20_____		
	Notary Public:		
<b>Property Owner (If Applicable)</b>	Signature:		Date:
	Address:	City, State:	Zip:
	Phone:		
	Sworn to and subscribed before me this _____ day of _____, 20_____		
	Notary Public:		

## **Campaign Disclosure Ordinance**

Campaign Disclosure Ordinance

**Please read the law and complete the Campaign Disclosure Statement on the following page if you are requesting a Rezoning, Concurrent Variance, or Conditional Use.**

GA Citation/Title

GA Code 36-67A-3, Disclosure of campaign contributions

\*38069 Code, 36-67A-3

### **CODE OF GEORGIA TITLE 36. LOCAL GOVERNMENT PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS**

(Current through 2000 General Assembly)

36-67A-3 Disclosure of campaign contributions.

- a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
  - 1) The name and official position of the local government official to whom the campaign contribution was made; and
  - 2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.
- c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority respective local government showing:
  - 1) The name and official position of the local government official to whom the campaign contribution was made; and
  - 2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- d) The disclosure required by subsection ( c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government of any of its agencies on the rezoning application.

(Code 1981, 36-67A-3, enacted by Ga. L. 1986, p. 1269, 1; Ga. L. 1991, p. 1365, 1; Ga. L. 1993, p. 91, 36.)

*Official Code of Georgia Annotated Copyright 1982 – 2000 State of Georgia.*

## Campaign Disclosure Statement

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Dunwoody City Council or a member of the City of Dunwoody Planning Commission? ☐ YES ☐ NO

<b>Applicant / Owner</b>	Signature:
	Address:
	Date:

If the answer above is yes, please complete the following section:

Date	Government Official	Official Position	Description	Amount